Environmentally Efficient Design - Local Planning Policy
Amendment C97

Presented by City of Port Phillip
The Council Alliance for a Sustainable Built Environment (CASBE) is a collection of Victorian municipal governments committed to the creation of a more sustainable built environment both within and beyond their municipalities. The Alliance provides resources and a network for Councils who currently or wish to operate in the field of sustainable design.

I will be speaking primarily about Planning Scheme Amendment C97, which seeks to introduce an Environmentally Efficient Design (EED) Local Planning Policy in the Port Phillip Planning Scheme. The policy would set a requirement in the planning scheme that sustainable design principles be addressed in the planning process.

In discussing the proposed policy, I will talk about Port Phillip’s continuing journey in facilitating and advocating for sustainable design, which forms a basis for the policy.

- Global trend towards urbanisation,
- Consideration needs to be given to the planning and policy frameworks needed to minimise the environmental impacts,
- Commercial development will continue to play a key economic role in providing for office, retailing, education and so on. The quality and efficiency of those buildings will continue to be important for businesses and employees, and importantly the environment.
For those of you who are unfamiliar with the City of Port Phillip, it comprises some of Melbourne’s oldest established urban areas and also some of it’s most iconic urban elements.

In terms of commercial / office land use activity, *(denoted in red shading)* the Port Phillip Planning Scheme identifies St Kilda Road as a primary focus for activity, and the Fishermans Bend Urban Renewal Area will be a focus for change into the future.
The City of Port Phillip regards itself as a local government leader in pursuing improved environmental performance of new development. Council continues a focus on using the planning approvals process to pursue sustainable design outcomes in new development.

The Sustainable Design Strategy (2006) provides an advanced framework for achieving sustainable design outcomes including:

- Facilitating and advocating for sustainable design.
The Sustainable Design Assessment in the Planning Process (SDAPP) is a process that a growing number of Councils are applying. It refers to the inclusion of key environmental performance considerations into the planning permit approvals process and is about striving for best practice in sustainable design and going beyond minimum compliance with building regulations.

Key components:
- Request a sustainability assessment with a planning permit application.
- Encouraging applicants to address **10 Key Sustainable Building Categories**
- Encouraging the use of sustainability assessment tools.

Port Phillip developed the original Sustainable Design Scorecard (SDS) in 2002 which was applied to all municipal and private development projects. It was revised in 2004 to apply to non-residential development. The City of Moreland developed the STEPS tool for residential development in 2004 and both tools are now widely used in the SDAPP process.
Planning and sustainable design

• Policy example - Melbourne recently approved *Energy Water and Waste Efficiency* planning policy, which demonstrates that there is a valid role for planning policy dealing with environmentally sustainable development.

• There have been a number of recent VCAT decisions that are significant to the discussion of sustainability as part of the planning permit process. Without going into specific cases, some of the lessons learnt include:
  • Sustainability is not limited to building regulations.
  • A focus on environmental performance is preferred rather than design / product specification.
  • The most effective outcomes are achieved through early consideration of sustainability in the design phase.
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Proposed Environmentally Efficient Design Local Planning Policy

- Planning scheme amendment process
- Role of local planning policy
- EED Policy basis
- Formalising SDAPP
- Current status.

Planning scheme amendment process
- Planning schemes — subordinate legislation to Planning and Environment Act and a rigorous statutory process is required to amend a planning scheme.
- Ministerial authorisation / approval – Council cannot introduce a policy at freewill.
- Scrutiny through public exhibition and Panel hearing.

Role of local policy
- To ensure that development meets a specified outcome – in this case, that development achieves sustainable design.

EED Policy provides a framework for early consideration of environmental sustainability at the building design stage. If environmentally sustainable design is not considered at the planning stage, the ability to achieve environmentally efficient development may be compromised by the time these matters are considered at building approval stage; or there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design (ESD) principles.
Joint Councils approach

- All are simultaneously running planning scheme amendments to implement an EED policy.
- A significant amount of inner – middle metro area where the policy could potentially apply.
- Collective approach results in policy consistency - preferred by development industry and state government
- Collective engagement with industry.
22.13 ENVIRONMENTALLY EFFICIENT DESIGN

This policy applies throughout the City of Port Phillip, in accordance with Table 1.

**Policy Basis**

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 23.05 of the MPSS relating to sustainable design and development.

Port Phillip City Council acknowledges that the built environment has a significant impact on the wider natural environment and most current development practices are not sustainable in the long term, and is committed to promoting sustainable design and development. Critical to achieving this commitment is for development to meet appropriate environmental design standards.
The policy is not prescriptive in terms of what targets are to be met, nor which sustainability assessment tools should be used. It is performance based.
Mechanics of the Policy

- The policy requires information to demonstrate that the objectives are achieved.
- The Application Requirements outline the information required to demonstrate how best practice is to be achieved.
- The Decision Guidelines require Council to consider how a development proposal responds to the policy Objectives.

- The policy requires information to demonstrate that the objectives are achieved.
- The Application Requirements outline the information required to demonstrate how best practice is to be achieved.
- The policy encourages the use of a broad range sustainability assessment tools as a means of demonstrating how best practice is achieved.
- The Decision Guidelines require Council to consider how a development proposal responds to the policy Objectives.
The implication of the policy for commercial buildings is that, where a planning permit is required for a new building (or addition to a building) of up to 1000 square metres, a sustainable design assessment (SDA) will need to be submitted with the planning permit application.

A SDA is a simple sustainability assessment of a proposed design at the planning stage.

- Encourages the use of online assessment tools, STEPS (for residential) and SDS (for non–residential).
- Not necessary to engage a sustainability expert to prepare the SDA
The implication of the policy for larger scale commercial buildings is that, where a planning permit is required for a new building (or addition to a building) of more than 1000 square metres, a sustainability management plan (SMP) and a Green Travel Plan will need to be submitted with the planning permit application.

A sustainability management plan (SMP) is a detailed sustainability assessment that identifies targets and documents how those targets will be achieved.

• May requires specialist input from qualified experts

• More complex however the costs associated are considered fair as larger developments have opportunity for increased ESD benefits and costs can be distributed across the development.

• Suggested sustainability assessment tools include SDS and GreenStar.
Environmentally Efficient Design Local Planning Policy

- The amount of information required is linked to the scale of development.
- The policy does not prescribe a performance standard that must be met.
- Application requirements for residential and non-residential development - tailored by each Council.
- Provides clear and consistent requirements
- Provides the opportunity to achieve cost efficient design.
Next Steps in Amendment Process

Key Stages

- Exhibition period ended (April 2013)
- Councils yet to consider submissions
- Independent Planning Panel (October 2013)
- Council consider Panel Report (amend / adopt / abandon)
- Minister for Planning makes a decision (approve with or without changes).

- Exhibition period ended 30 April 2013
- Councils to consider submissions
- A single Independent Planning Panel (October 2013) likely to be appointed to consider submissions and make recommendations to Councils.
- Minister for Planning makes a decision (approve with or without changes).
Thank you

Contact

ndrent@portphillip.vic.gov.au

Further information